REMARKS

Claims 1-40 remain in the application and stand rejected. The specification, claims and drawings are objected to. The IDS filed May 19, 2000 has been refused entry. Claims 1, 8-12, 15-23, 27, 32, 33 and 35-40 are amended herein. No new matter has been added.

The Examiner objected to the IDS filed May 19, 2000 for failing to comply with 37 C.F.R. § 1.98(a)(1). The Examiner indicated that listing of references in the specification is not a proper disclosure statement. In providing a basis for requiring a separate listing of publications, patents and other information under 37 C.F.R. § 1.98(b) the Examiner asserts that "MPEP Section 609(a)(1) states, 'the list may not be incorporated in the specification but must be submitted in a separate paper.' Therefore, unless the references have been cited by the Examiner on the Form PTO-892, they have not been considered." Accordingly, the Examiner asserts that "copies of the patents, publications or other information submitted (in the IDS filed May 19, 2000) has been placed in the application file, but the information referred to therein has not been considered. In this case, the applicant has failed to submit a copy of the **1449**."

The Manual of Patent Examining Procedure provides in the Forward (Forward) that it is "published to provide Patent and Trademark Office patent examiners, applicants, attorneys, agents, and representatives of applicants with a reference work on the practices and procedures relative to the prosecution of patent applications before the Patent and Trademark Office." In particular, the Forward provides that it "contains ***instructions to examiners***, as well as other material in the nature of information interpretation, and outlines the current procedures which the ***examiners are required*** or authorized to follow ... ." Further, the Forward specifically provides that the MPEP "does not have the force of law or the force of the rules in

title 37 of the Code of Federal Regulations." Accordingly, the MPEP is a set of guidelines for directing the Examiner how to examine an application. With respect to the list as required by 37 C.F.R. § 1.98(a)(1), the Information Disclosure Statement (IDS) filed on May 19, 2000 specifically provided on page 1 that an attached form PTO-1449 was included. Enclosed in Appendix I is a copy of the submittal postcard and the form PTO-1449 that were submitted with that IDS. When, in the past, as is apparent here, the Office has lost or misplaced one or more pages of a paper as filed, the Examiner has afforded the applicants the courtesy of a call requesting a fax copy of the missing page. The applicants have received no such call. Thus, apparently the Examiner's file does not include the form PTO-1449 as submitted. Having complied with the requirements of 37 C.F.R. § 1.97(b) and 37 C.F.R. § 1.98 consideration of the submitted references is respectfully requested.

The Examiner objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(4) "because reference character of '104' has been used to designate both local computer and a local alarm program (LAP)." Upon review of the application, the applicants note that the LAP is running on the local computer and thus the local computer is also referred to as the LAP computer as described in the written description. However, on page 9 on lines 14 and 16, the local computer or LAP computer was further referred to by the shorthand of LAP. Accordingly, responsive to this objection to the drawings LAP was amended to local computer at page 9, lines 14 and 16. No new matter has been added. Formal drawings are submitted herewith.

The Examiner objects to the drawings under 37 C.F.R. § 1.83(a). In particular, the Examiner was unable to find features of the claimed invention in the drawings. 37 C.F.R. § 1.83(a) specifically provides in pertinent part that "conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be

illustrated in the drawings in the form of a graphical drawing symbol or a labeled representation (e.g., the labeled rectangular box). " Thus, "the sensors as stated in claim 1" are indicated as element 106 in Figure 1 as described on page 5, line 11. Surely the Examiner does not imply that, for example, to understand freckles the illustration of a single freckle is not sufficient. The "periods of slow wave sleep as stated in claim 2" are shown in Figure 2 and described as periods of REM on page 6, lines 14 and 15. The "encephelography as stated in claim 4" and "polysomnography as stated in claim 5" are brain activity measurement techniques using signals from the sensor as described on page 6, lines 2-4 and are well known in the art, as provided in numerous references cited by the Examiner in this Office Action. Further, these are supported by step 132 in Figure 3. Again, the "plurality of sensors in wireless communication with the local computer as stated in claim 6; and eyelid sensors as stated in claim 7" are described with reference to element 106 of Figure 1 on page 5, lines 11-12. Accordingly, all claims are supported by the drawings and well understood by a person of ordinary skill in the art. Therefore, reconsideration and withdrawal of the objections to the drawings is respectfully requested.

The specification has been objected to for inclusion of a hyperlink. Responsive thereto, the hyperlink code (http://) has been removed from page 2. The Examiner objected to the misspelling of may on page 4, line 1. Responsive thereto the spelling of "may" has been corrected. The Examiner objects to the use of "sleeper" and "user" and "person" indicating that one word should be used consistently throughout. However, a "person" may be a "sleeper" or a "user" depending upon the person's actions. In particular, a person may be a user entering a wake up time into the system of the claimed invention for a sleeper sleeping in another room. A user may also enter a wake up time into the system for him/herself and, when the user goes to sleep, the user becomes a sleeper. In all cases, the sleepers and the users are persons. It is hard to understand how a sleeper could enter a time into the alarm clock. Accordingly, the applicants assert that the terms

"user", "sleeper" and "person" are used properly throughout the specification. Therefore, no correction is deemed necessary.

The Examiner objects to the Abstract of the disclosure because "it should include eyelid movement activity signals as well as brain activity signals in order to better describe the claimed invention. Thus, relying on MPEP Section 608.01(b) the Examiner is requiring correction. 37 C.F.R. § 1.72(b) provides in pertinent part that the "purpose of the abstract is to enable the Patent and Trademark Office and the public generally to determine quickly from a ***cursory*** inspection the nature and gist of the technical disclosure. The abstract shall not be used for interpreting the scope of the claims." Accordingly, no amendment to the Abstract is believed necessary.

In an omnibus objection, the Examiner indicates that "the entire disclosure, i.e., specification, claims and abstract, should be revised carefully to correct any grammatical and idiomatic errors which may be present." However, other than the few minor errors corrected herein above, no additional errors have been found. Therefore, the application as amended herein is deemed in proper form.

The Examiner objects to numerous claims for asserted informalities, some of which have merit. Responsive thereto the claims have been amended herein above. Accordingly, having traversed the above objections to the specification and the claims, either by the amendments to the specification and the claims or, for the reasons set forth hereinabove, the applicants respectfully request that the Examiner reconsider and withdraw the objection to the specification, drawings and claims.

Claims 1-32 are rejected under 35 U.S.C. § 112, second paragraph. In particular, the rejection seems to be directed to claim 1, line 8, the phrase "a user"

and "an alarm" in claims 8-11. The amendment to the claims obviates any need for discussion of the rejection under 35 U.S.C. § 112. No indication of the basis of the rejection of claims 12-32 is provided by the Examiner. Reconsideration and withdrawal of the rejection of claims 1-32 under 35 U.S.C. § 112 is respectfully requested.

Claims 1-3 and 6-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lidow (U.S. Patent No. 4,228,806) in view of Verrier et al. (U.S. Patent No. 5,902,250). Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination Lidow with Verrier et al. and further in view of Allen et al. (U.S. Patent No. 6,142,950). Essentially, the Examiner asserts that "Lidow discloses all the subject matter claimed by the applicant with the exception of the limitations stated in claims 1 and 35, i.e., a local computer; the limitation stated in claims 2 and 40, i.e., the sleep analyzing server analyzes received brain activity and identifies periods of slow wave sleep; and the limitations stated in claims 3, 14 and 39, i.e., the sleep analyzing server analyzes received brain activity signals and identifies periods of non-REM sleep." The thrust of the Examiner's rejection of the method of claims 21-31 and the program product of claims 32-34 is that they are inherently embodied in Lidow, asserting that "the method steps will be met during the normal operation of the device "and that "in a broad sense, the data processor has a readable program code thereon." Applicants note that inherency has no place in a rejection for obviousness under 35 U.S.C. § 103(a).

Lidow (which coincidentally was filed roughly at the same time that the Apple I was first marketed) teaches a wake up alarm that will ring in some time interval. See, the Lidow Abstract. Specifically, "the sleeping subject is monitored and the output of a sensor pickup is connected, by light, unobtrusive conductors or by a small radio transmitter to a bedside alarm." Lidow generally describes monitoring the user for the periods of sleep activity and in particular for a REM

sleep, but does not teach anything other than an alarm clock with a circuit receiving monitor signals and the alarm mechanism setting off an alarm in response to the signals. All of the electronics for interpreting the dream signals are included in the alarm clock and, for multiple users or multiple sleepers each sleeper must have his/her own alarm clock with the electronics. Thus, there is a duplication of effort and costs of this use of the Lidow type of alarm clock. Further, Lidow points out "it should be noted that absolute accuracy or efficiency is not needed in carrying out the invention, and the invention will provide benefits to subjects over a long period of time so long as it generally limits the number of times the subject awakened from a deep sleep phase." Column 3, lines 27-32.

Verrier et al. is a home based system for monitoring sleep and assessing cardiorespiratory risks, in particular in home use. Column 1, lines 10-11. To that end, Verrier et al. notes that "hospital based systems are the most accurate for monitoring sleep state. One such system provides detailed information about and (sic) individuals brain wave activity through electroencephelographic (EEG) signals, eyelid movement through electroooculographic (EOG) signals and, muscle tone through electromyographic (EMG) signals." Column 2, lines 34-37. Also, Verrier et al. provides that "the system (is) used in ambulatory polysomnography (PSG)." Id, line 62. Verrier et al. is focused on the importance of precisely identifying the sleep state, in particular reciting that to "improve the accuracy of sleep state monitoring, in one embodiment of the invention, Applicants have taken advantage of the discovered relationship by using heart function information in determining the sleep state." Column 3, lines 61-65. Thus, it is a vital use of the system of Verrier et al. to monitor heart rate "and dynamically (determine) the sleep state of the patient based on the heart rate variability." Column 4, lines 2-3. Furthermore, Verrier et al. provides that "the invention is directed to a home based self-contained, wearable processing system that minimally effects sleep quality, if at all." Column 4, lines 44-46.

Allen et al. is a non-tethered sleep apnea screening device. In particular, it is "a method and a device for evaluating a fully ambulatory subject for sleep apnea." The Examiner relies on Allen et al. for monitoring brain wave activity through electroencephelography (EEG) and polysomnography as noted above with reference to Verrier et al.

The present invention is a programmable alarm clock system for waking a sleeper during a select period of sleep. Sensors are attached to the head of a sleeper for monitoring sleep activity. The receiver at local computer receives sleep activity signals from the sensors and relays the signals to a sleep analyzing server. A wake up time is entered at the local receiver. The sleep analyzing server analyzes the signal and provides the analysis back to the local computer which determines the best time to wake the sleeper. The local computer sends a trigger to the alarm clock which sounds the alarm waking the sleeper. See page 5, line 8 to page 6, line 7 and generally the description of the preferred embodiments in Figures 1 - 7. The Examiner asserts that a person of ordinary skill in the art would be inclined to combine the teaching of Lidow which is not particularly concerned with "absolute accuracy or efficiency" Column 3, lines 27-28, with Verrier et al., which touts as advantages "simplicity, ease of use, ***accuracy*** and ***thoroughness***." Column 5, lines 64-66 (emphasis added). However, these two purposes are completely at odds with each other and so, such that the combination is not suggested and would not be obvious. Accordingly, since the purposes of the inventions of these references are at odds, the references teach away from the combination and so, their combination is not obvious under 35 U.S.C. § 103(a).

Furthermore, arguendo, were one to combine Lidow with Verrier et al., the result would be a self contained system that monitors and determines sleep state and sounds an alarm. This is quite different from the present invention. Accordingly, it is apparent that the Examiner is using the invention for the

suggestion to combine and to teach how to combine to result in the claimed invention. Such a use of the application, in hindsight to suggest or to teach the combination is improper. Accordingly, the present invention is not obvious under 35 U.S.C. § 103(a). Reconsideration and withdrawal of the rejection of claims 1-40 under 35 U.S.C. § 103(a) over Lidow in view of Verrier et al. and further in view of Allen et al. is respectfully solicited.

The applicants have considered the other references cited but not relied upon in the rejection and find them to be no more relevant than the references upon which this rejection is based.

The applicants thank the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance both for the amendment to the specification and claims and for the reasons set forth above, the applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-40 under 35 U.S.C. §§ 103(a) and 112 and allow the application to issue.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes. No fee is believed necessary, however, please charge any deficiencies in fees and credit any overpayment of fees to attorney's deposit account number 50-0510 and advise us accordingly.

Attached hereto is a marked-up version of the changes made to the claims by current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Respectfully submitted,

February 27, 2002
Date

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Paragraph beginning at page 2, line 21 has been amended as follows:

-- It has also been shown that dreams occur during the REM sleep. Typically, those dreams are forgotten. Often, people struggle to remember recent dreams and dream interpretation is part of popular culture, *see e.g.*, [http://]www.dream-analysis.com[/] *and see,* [http://]dir.yahoo.com/Social_Science/Psychology/Branches/Sleep_and_Dreams[/]. Waking during REM sleep or immediately thereafter would assist in remembering dreams. --

Paragraph beginning at page 3, line 17 has been amended as follows:

-- The present invention is a programmable alarm clock system, method of operation and program product therefor with sleep analysis to identify and wake a person during REM, non-REM sleep patterns or other identifiable sleep patterns, such as a slow brain wave pattern. Sleepers awoken during a non-REM phase of sleep suffer less subsequent drowsiness and may function better during normal day-to-day activities. Sleepers awoken during REM sleep or immediately thereafter [amy] <u>may</u> be allowed to remember some of the previous evening's dreams. --

Paragraph beginning on page 5, line 8 has been amended as follows:

-- Referring now to the drawings, and more particularly, Figure 1 is a block diagram of the preferred embodiment sleep analysis and alarm system

arrangement 100 for waking a person 102 during selected periods of sleep. The arrangement includes a local computer 104, which may be a personal computer (PC) for local control. At least one [W]wireless sensor[s] 106 is [are] attached to the eyelids or elsewhere on the head 108 of the sleeping person (sleeper) 102. The local computer is connected over a network 110 to a Computerized Sleep Analyzing Web Server (C-SAWS) 112. The network 110 may be a wireless network or, a more traditional wired network. The local computer 104 is in communication with a Local Alarm Device (LAD) 114 or clock. Optionally, the local computer 104 may be an embedded device, embedded in and part of the LAD 114. Further, the LAD 114 may include the C-SAWS 112 in addition to or independent of inclusion of the local computer 104. --

Paragraph beginning on page 5, line 20 has been amended as follows:

-- Before retiring, the user 102 manually inputs a designated wake-up time (DWT) into the local computer 104 that acts as a controller. Alternately, the user 102 may select a preferred wake up pattern in lieu of selecting a DWT. Input may be made vocally through the microphone or manually. The DWT is taken as a target and passed to a Local Alarm Program (LAP) running in the local computer 104. After setting the alarm, the user 102 attaches non-intrusive wireless sensors 106 to strategic spots, e.g., the eyelids or elsewhere head 108. These sensors 106 attached to the head 108, which may be digital or analog, measure brain activity by measuring electrical signals using electroencephelography or polysomnography for example. The wireless eyelid sensors 106, which also may be digital or analog, detect eye movement and transmit appropriate signals to the local computer 104. Analog signals from analog sensors, when used, are converted to digital data in the local computer 104. --

Paragraph beginning on page 9, line 3 has been amended as follows:

-- Figure 4 shows a block diagram of the preferred Computerized Sleep Analyzing Web Server 112 in communication with one or more local (LAP) computer 104 through a network 110. The C-SAWS 112 receives brain activity information in Receiving Module 140 which passes the digitized signal to an optional Signal Processing Unit 142. The optional Signal Processing Unit 142 is included when some or all of the sensors 106 are analog. Analog signals from analog wireless sensors 106 are converted to digital signals by the Signal Processing Unit 142. --

Paragraph beginning on page 9, line 10 has been amended as follows:

-- The digitized signal is then passed to the Signal Analyzer 144 which charts the data and automatically detects the selected sleep patterns based upon previous selected prototypes. The Signal Analyzer 144 passes the charted data to the Signal Labeler 146, which labels the chart with identified pattern areas labeled as REM periods or non-REM periods (in the example of Figure 3) in a computer readable format acceptable by the [LAP] local computer 104. When data is requested, a Sender 148 sends the labeled chart over the network, e.g., the Internet, to the requesting [LAP] local computer 104.

Paragraph beginning on page 9, line 17 has been amended as follows:

-- Figure 5 is a block diagram of an example of the Signal Analyzer 144 which charts data passed to it from the Signal Processing Unit 142 or, when digital sensors 106 are employed, from the LAP unit (local computer 104). The chart data is input to a Normalizer 150 which converts the data to standard input format. The normalized data is sent to a Comparator 152 where it is compared with prototype

data from a previous prototype database 154 that includes prototypical periods, REM periods 156 and non-REM periods 158 in the example of Figure 3. These sleep pattern period prototypes may be generated using techniques such as taught in US Patent No. 5,577,135 entitled "Handwriting Signal Processing Front-End For Handwriting Recognizers" to Grajski et al., which is incorporated herein by reference. A Segmentator 160 separates the relevant pattern data, e.g., REM data from the non-REM data, and forwards the separated data to the Signal Labeler 146. --

In the claims:

1. (Amended) A programmable alarm clock system for waking a sleeper during [an] a selected period of sleep, said programmable alarm clock system comprising:

a sleep analyzing server;

at least one sleep activity sensor attachable to a head of a sleeper;

a receiver receiving sleep activity signals from each said sleep activity sensor[s attached to heads of sleepers];

a local computer receiving a wake up time [from a user] and received said sleep activity signals and sending said received sleep activity signals [to a] remotely to said [connected] sleep analyzing server; and

a remotely triggered local alarm device sounding [an] a wake up alarm [to wake a sleeper] responsive to a determination from said local computer that said sleeper should be awoken.

8. (Amended) A programmable alarm clock system as in claim 1, wherein [said user further provides] said local computer is further provided with a selected sleep activity, the server sending information about identified periods of said selected sleep activity to said local computer and said local computer

determines from received said information when to trigger [an] said wake up alarm relative to said wake up time [from said user].

9. (Amended) A programmable alarm clock system as in claim 8, wherein when said local computer determines that said sleeper is in an identified period of said selected sleep activity at said [user's] wake up time, said local computer triggers [an] said wake up alarm.

10. (Amended) A programmable alarm clock system as in claim 9, wherein when said local computer determines that said sleeper is in an other sleep activity period identified as having a sleep activity other than said selected sleep activity at said [user's] wake up time, said local computer triggers [an] said wake up alarm at an end to said other sleep activity period.

11. (Amended) A programmable alarm clock system as in claim 9, wherein when said local computer determines that said sleeper is in an other sleep activity period identified as having a sleep activity other than said selected sleep activity at said [user's] wake up time, said local computer postpones triggering [an] said alarm until a next selected sleep period.

12. (Amended) A programmable alarm clock system as in claim 10, wherein when said local computer determines that said sleeper is in an other sleep activity period identified as having a sleep activity other than said selected sleep activity at said [user's] wake up time, if said local computer determines that the next selected sleep activity period is expected to occur beyond a [user] selected margin, said local computer triggers said wake up alarm.

15. (Amended) A programmable alarm clock system as in claim 6, wherein the server comprises:

a receiving module receiving sleep activity;

a signal analyzer charting sleep data and identifying sleep periods as being either selected activity sleep periods or other activity sleep periods;

a signal labeler labeling selected activity sleep periods and other activity sleep periods; and

a sender sending labeled said charts to the local computer.

16. (Amended) A programmable alarm clock system as in claim 15, further comprising:

a signal processing unit receiving analog signals representative of said sleep activity and providing digital sleep data to the signal analyzer responsive to said analog signals.

17. (Amended) A programmable alarm clock system as in claim 16, further comprising:

one or more sleep activity sensors attached to the head of [a] said sleeper, each of said one or more sensors sending sleep activity signals to said receiving module.

18. (Amended) A programmable alarm clock system as in claim 17, wherein at least one of said one or more sleep activity sensors is [attached to the head of said sleeper] sensing brain activity.

20. (Amended) A programmable alarm clock system as in claim 17, wherein at least one of said one or more sense activity sensors [is attached to the eyelids of said sleeper sense] senses eye movement.

21. (Amended) A method of operating a programmable alarm clock, said method comprising the steps of:

a) receiving sleep activity signals [from a sleeper];

b) digitizing said sleep activity signals;

c) analyzing said digitized sleep activity signals to identify selected sleep activity periods and other sleep activity periods;

d) waiting for a designated wake up time;

e) determining whether said sleep activity signals indicate that a sleeper is in a period of said selected sleep activity or a period of other sleep activity at said designated wake up time; and

f) sounding an alarm at said designated wake up time if said sleep activity signals indicate [sleeper is in a period of] said selected sleep activity.

22. (Amended) A method of operating a programmable alarm clock as in claim 21, when said sleep activity signals indicate [sleeper is determined to be in] said other sleep activity period at said wake up [alarm] time, said method further comprising the steps of:

g) determining an alarm time to sound said alarm; and

h) sounding said alarm at said alarm time.

23. (Amended) A method of operating a programmable alarm clock as in claim 22, wherein the determining step (g) comprises the steps of:

i) determining whether a wait margin has been selected, the alarm time being set to said designated wake up time when no wait margin has been selected;

ii) setting the alarm time [as the time that the sleeper will enter a] when said next expected selected sleep activity period is within the wait margin; and

iii) if [the sleeper will remain in the] said other sleep activity [during] continues beyond said wait margin, setting said alarm at the end of said wait margin.

27. (Amended) A method of operating a programmable alarm clock as in claim 26, wherein in the step (e) of determining whether sleep activity signals indicate that the sleeper is in [a] the selected sleep activity period, said local computer interrogates the labeled prototype chart, determining therefrom whether the designated wake up time is in one of the [labeled] selected sleep activity periods.

32. (Amended) A computer program product for operating a programmable alarm clock system, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising:

[computer readable program code means for receiving sleep activity signals from a sleeper;]

computer readable program code means for digitizing [said] sleep activity signals;

computer readable program code means for analyzing [said] digitized said sleep activity signals to identify selected sleep periods and non-selected sleep periods;

computer readable program code means for determining [an alarm time] whether to send a trigger responsive to [whether said] a designated wake up time is in a selected sleep period or non-selected sleep period; and

computer readable program code means for sounding an alarm responsive to [a] said trigger.

33. (Amended) A computer program product for operating a programmable alarm clock system as in claim 32, wherein said computer readable program code means for determining an alarm time comprises:

computer readable program code means for determining whether a wait margin has been selected, [the alarm] a trigger time being set to said designated wake up time when no wait margin has been selected;

computer readable program code means for setting [the alarm] said trigger time as [the time that the sleeper will enter] a next expected selected sleep activity period [if the sleeper will enter a] when said next expected selected sleep activity period is determined to be expected to occur within the wait margin; and

computer readable program code means for setting said [alarm] trigger time at the end of said wait margin, [if the sleeper will remain in] when a non-selected sleep activity period is expected to extend through [during] said wait margin.

35. (Amended) A computer program product for operating a programmable alarm clock system as in claim 34, wherein the sleep activity signals are brain activity signals and said computer readable program code means for analyzing digitized brain activity comprises:

computer readable program code means for creating a prototype chart of said digitized brain activity signals;

computer readable program code means for labeling periods in said prototype chart as being selected sleep periods and non-selected periods; and

computer readable program code means for sending [said] each labeled said prototype chart to a local computer.

36. (Amended) A computer program product for operating a programmable alarm clock system as in claim 35, wherein said computer readable program code means for sounding said alarm comprises:

computer readable program code means for causing said local computer to send [a] said trigger to a local alarm device.

37. (Amended) A computer program product for operating a programmable alarm clock system as in claim 34, wherein said sleep activity signals are indicated by eye movement.

38. (Amended) A computer program product for operating a programmable alarm clock system as in claim 37, wherein said selected sleep activity is REM sleep.

39. (Amended) A computer program product for operating a programmable alarm clock system as in claim 37, wherein said selected sleep activity is non-REM sleep.

40. (Amended) A computer program product for operating a programmable alarm clock system as in claim 37, wherein said selected sleep activity is slow wave sleep.

Appendix I

RECEIPT NO. 036776 DATE: May 19, 2000
ATTY. DOCKET: YO9-2000-0023

APPLICANT(S): Dimitri KANEVSKY et al.
SERIAL NO.: 09/577,119
FILED: April 24, 2000
FOR: ALARM CLOCK SYSTEM, METHOD OF OPERATION AND PROGRAM PRODUCT THEREFOR

PAPERS FILED:

1) Information Disclosure Statement
2) Form PTO-1449
3) 1 patent and 3 publications

FEE: $ 0 **CHECK NO. N/A**

PLEASE DATE STAMP AND RETURN